

### **REMARKS**

Claims 1, 2, 4, 8, 10-18, 22-26, 28, 30, 33 and 34 are amended. Claims 21, 27, 29, 31, 32, 35 and 36 are canceled. Claim 37 is added. Claims 1-20, 22-26, 28, 30, 33, 34 and 37 are pending. No new matters are believed to be introduced by this amendment. It is believed that the current amendments do not narrow the scope of the pending claims but merely explicitly state what was already implicit in the claim language. In view of the amendments above and remarks to follow, favorable consideration and allowance of this application is respectfully requested. The remarks below are in response to a Final Office Action issued on March 6, 2009.

### **Interview Summary**

Applicants thank Examiner Donado for the courtesy of a telephonic interview on August 3, 2009. In that interview, the substantive rejection of claim 1 with respect to Gallant was discussed including the distinction identified below. Specifically, the recitation of a distinct module used to determine whether a mobile station is in a subscriber territory was discussed and it is believed that the Examiner agreed, at least initially, that this functionality is not shown in the Gallant reference.

### **Objections to the Claims**

Claims 24 and 28-32 are objected to as including informalities.

Claims 29, 31 and 32 are canceled to facilitate prosecution on the merits. Claims 24 and 28 are amended in light of the remarks in the Office Action to more clearly define the invention. With respect to the objection to claim 28 relating to whether the mobile device can forward information to itself, the claimed module is distinct from the mobile device and therefore information can be received by the mobile device and then forwarded to the module. Reconsideration of the objection to claims 24 and 28 is respectfully requested

**Rejections Based on 35 U.S.C. §§102 and 103**

Claims 1-17, 19-20, 22-25, 28, 30 and 33-34 are rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent 5,802,468 to Gallant et al. ("Gallant"). Claims 18, 26, 29, 31-32, and 35-36 are rejected under 35 U.S.C. §103 as being obvious over Gallant in view of U.S. Patent 5,905,957 to Olds ("Olds"). To facilitate prosecution on the merits, Claims 21, 27, 29, 31, 32, 35 and 36 are cancelled.

Among the limitations of independent claim 1, which are neither shown nor suggested in the art of record are:

each mobile device comprising a module insertable into, removable from and distinct from the mobile device. . . wherein each module is configured to determine whether a respective mobile device is located inside the at

least one subscriber territory.

Similarly, among the limitations of independent claim 33, which are neither shown nor suggested in the art of record are:

determining, using a module insertable into,  
removable from, and distinct from the mobile device,  
whether the identifier matches the second identifier. . .

Among the limitations of independent claim 37, which are neither shown nor suggested in the art of record are:

each mobile device comprising a module insertable  
into, removable from and distinct from the mobile  
device. . . wherein each module is configured to poll a  
determination unit external from the mobile device to  
determine whether a respective mobile device is located  
inside the at least one subscriber territory.

The invention allows for moving the process for determining whether a mobile station is disposed in a subscriber territory, from the mobile station itself, to a module distinct from the mobile station. The module may perform the determination processing as in claims 1 and 33 or may poll a determination unit that performs processing external from the mobile device as in claim 37. This functionality is not shown in either Gallant or Olds.

In Gallant, the determination of whether a mobile station is in a subscriber territory is performed by a processor inside the mobile station itself. See, Col. 2: line 63 – Col. 3: line 13; Col. 9: lines 4-10; Fig. 2. A SIM card is used only to store an identification code associated with a home geographic location. Col. 3: lines 34-42; Col. 7: lines 32-42. The

processor of the mobile station compares the information transmitted by the base station with information stored in the SIM card to determine the location of the mobile station with respect to a home calling area. Therefore, Gallant does not show the claim language referenced above. Olds is not cited to show, and does not appear to show, the cited limitations. Therefore, it is asserted that independent claims 1, 33 and 37 are patentable over the cited prior art. Claims 2-20, 22-26, 28, 30 and 34 include the above referenced limitations of independent claims 1 and 33 respectively, and include additional limitations which, when combined with the limitations of claims 1 and 33 are also neither shown nor suggested in the art of record. It is asserted that these claims are patentable as well. Reconsideration of the rejections of claims 1-20, 22-26, 28, 30, 33, 34 and 37 under 35 U.S.C. §§102 and 103 is respectfully requested in light of the remarks above.

Respectfully submitted,



---

Steven Rubin  
Reg. No. 43,063  
Attorney for Applicant(s)

**DILWORTH & BARRESE, LLP**  
1000 Woodbury Road, Suite 405  
Woodbury, New York 11793  
Telephone: 516-228-8484  
Facsimile: 516-228-8516